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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 EDWARD ALVARADO, et al.,

No. C 04-0098 SI

9 Plaintiffs,

**ORDER GRANTING PLAINTIFF  
BOSWELL'S MOTION FOR ENTRY OF  
JUDGMENT PURSUANT TO RULE 54(B)**

10 v.

11 FEDEX CORPORATION,

12 Defendant.  
13 \_\_\_\_\_/

14 Plaintiff Charlotte Boswell has filed a motion for entry of judgment pursuant to Federal Rule  
15 of Civil Procedure 54(b). (Docket No. 782). The motion is scheduled for a hearing on May 25, 2007.  
16 Pursuant to Civil Local Rule 7-1(b), the Court determines that the matter is appropriate for resolution  
17 without argument, and VACATES the hearing.

18 Defendant opposes the motion on the ground that this Court lacks subject matter jurisdiction.  
19 For the reasons set forth in the Court's September 8, 2006 order, the Court finds that plaintiff exhausted  
20 her administrative remedies, and thus that this Court has jurisdiction. Defendant may raise its  
21 jurisdictional objection, and any other contentions, on appeal. The Court finds that there is no just  
22 reason to delay the entry of judgment in favor of plaintiff, and accordingly GRANTS the motion. The  
23 Court will enter a separate judgment.

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25 **IT IS SO ORDERED.**

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27 Dated: May 21, 2007



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SUSAN ILLSTON  
United States District Judge